

come from infectious diseases. When we consider the greatest killers—HIV, tuberculosis, malaria—it is clear that infectious diseases have not abated. At the same time we have seen an alarming trend—increasingly physicians are stymied as existing antibiotics are becoming less effective in treating infections. We know that resistance to drugs can be developed, and that the more we expose bacteria to antibiotics, the more resistance we will see. So it is crucial that we preserve antibiotics for use in treating disease.

Most Americans appreciate this fact, and now understand that colds and flu are caused by viruses. So we know that treating a cold with an antibiotic is inappropriate, and we understand that such use of antibiotics is unwise. Over 9 out of 10 Americans now know that resistance to antibiotics is growing. Our health care providers are getting the message too. Physicians know that when a patient who has been inappropriately prescribed an antibiotic actually develops a bacterial infection, it is more likely to be resistant to treatment.

When we overuse antibiotics, we risk eliminating the very cures which scientists fought so hard to develop. The threat of bioterrorism amplifies the danger. I have supported increased NIH research funding, as well as Bioshield legislation, in order to promote development of essential drugs. Yet as we work hard to develop lifesaving medications, their misuse will render them ineffective.

Every day in America antibiotics continue to be used in huge quantities for no treatment purpose whatsoever. I am speaking of the non-therapeutic use of antibiotics in agriculture. Simply put, the practice of feeding antibiotics to healthy animals jeopardizes the effectiveness of these medicines in treating ill people and animals.

Recognizing the public health threat caused by antibiotic resistance, Congress in 2000 amended the Public Health Threats and Emergencies Act to curb antibiotic overuse in human medicine. Yet today it is estimated that 70 percent of the antimicrobials used in the United States are fed to farm animals for non-therapeutic purposes including growth promotion, poor management practices and crowded, unsanitary conditions.

In March 2003, the National Academies of Sciences stated that a decrease in antimicrobial use in human medicine alone will not solve the problem of drug resistance. Substantial efforts must be made to decrease inappropriate overuse of antibiotics in animals and agriculture.

Last week five major medical and environmental groups—the American Academy of Pediatrics, the American Public Health Association, Environmental Defense, the Food Animal Concerns Trust and the Union of Concerned Scientists—jointly filed a formal regulatory petition with the U.S. Food and Drug Administration urging

the agency to withdraw approvals for seven classes of antibiotics which are used as agricultural feed additives. They pointed out what we have known for years—that antibiotics which are crucial to treating human disease should never be used except for their intended purpose—to treat disease.

In a study just reported in the *New England Journal of Medicine*, researchers at the Centers for Disease Control and Prevention found 17 percent of drug-resistant staph infections had no apparent links to health-care settings. Nearly one in five of these resistant infections arose in the community—not in the health care setting. While much more to address inappropriate antibiotic use in medicine, and use in our environment cannot be ignored.

This is why I have joined with Senator KENNEDY to again introduce the “Preservation of Antibiotics for Medical Treatment Act”. This bill phases out the non-therapeutic uses of critical medically important antibiotics in livestock and poultry production, unless their manufacturers can show that they pose no danger to public health. I am pleased that we have been joined in this effort by Senator COLLINS, Senator LANDRIEU, and Senator REED in introducing this measure.

Our legislation requires the Food and Drug Administration to withdraw the approval for nontherapeutic agricultural use of antibiotics in food-producing animals if the antibiotic is used for treating human disease, unless the application is proven harmless within two years. The same tough standard of safety will apply to new applications for approval of animal antibiotics.

This legislation places no unreasonable burden on producers. It does not restrict the use of antibiotics to treat sick animals, or for that matter to treat pets and other animals not used for food. The act authorizes Federal payments to small family farms to defray their costs, and it also establishes research and demonstration programs that reduce the use of antibiotics in raising food-producing animals. The act also requires data collection from manufacturers so that the types and amounts of antibiotics used in animals can be monitored.

As we are constantly reminded, the discovery and development of a new drug can require great time and expense. It is simply common sense that we preserve the use of the drugs which we already have, and use them appropriately. I call on my colleagues to support us in this effort.

#### NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. LEAHY. Mr. President, yesterday marked the beginning of National Crime Victims' Rights Week. For a quarter of a century, we have set this week aside each year to renew our commitment to address the needs of victims and their families and to promote victims' rights.

This year's commemoration comes at a critical juncture in the history of the victims' rights movement. Much has been achieved in the past 25 years to provide victims with greater rights and assistance, but perhaps none so important as the passage of the Victims of Crime Act of 1984, VOCA, and its establishment of a dedicated source of funds to support victims' services. The Crime Victims Fund provides critical funding that helps millions of victims of all types of crime every year. The future of the fund is in doubt, however, and 25 years of progress may be at risk due to the administration's proposal to rescind all amounts remaining in the fund at the end of fiscal year 2006—an estimated \$1.267 billion. That would dry up the fund, leaving it with a balance of zero going into fiscal year 2007 to support vital victim services.

Our new Attorney General, upon his confirmation, gave a speech to discuss his priorities for the Department of Justice. He stated, “As we battle crime, we must also defend the rights of crime victims and assist them in their recovery.” While I agree on the importance of this goal, rescinding the Crime Victims Fund is not the way to achieve it.

The Crime Victims Fund is the Nation's premier vehicle for the support of victims' services. Nearly 90 percent of the fund is used to award State crime victim compensation and victim assistance formula grants. VOCA-funded victim assistance programs serve nearly 4 million crime victims each year, including victims of domestic violence, sexual assault, child abuse, elder abuse, and drunk driving, as well as survivors of homicide victims. VOCA-funded compensation programs have helped hundreds of thousands of victims of violent crime.

The Crime Victims Fund also serves victims of Federal crimes. VOCA funding supports victim assistance services provided by U.S. Attorneys Offices and the FBI, as well as the Federal victim notification system. It is used for child abuse prevention and treatment grants, and it is also used to provide emergency relief to victims of terrorism and mass violence.

Since fiscal year 2000, Congress has set a cap on annual fund obligations expressly for the purpose of ensuring “that a stable level of funding will remain available for these programs in future years.” The “rainy day” fund created by this spending cap has been used to make up the difference between annual deposits and distributions three times during the past six years.

When Congress began considering caps on fund obligations, I proposed and Congress enacted an amendment to the Victims of Crime Act to clarify our intent to stabilize and preserve the fund for the benefit of victims. The amendment, now codified at section 10601(c) of title 42, requires that “. . . all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the

Fund for obligation in future fiscal years, without fiscal year limitation." Thus, in both the authorization and the appropriations processes, Congress has clearly and emphatically stated its intent to maintain a stable source of federal support for essential victim services.

Over the past 4 years, the Bush administration and this Republican Congress have squandered record surpluses and racked up \$7.6 trillion in Federal debt as a result of reckless spending and budget-busting tax cuts. Now the Bush administration proposes to reduce the deficit by siphoning off resources that we set aside to assist victims of crime. In this regard, it bears emphasis that the Crime Victims Fund does not receive appropriated funding; deposits come from Federal criminal fines, forfeited bail bonds, penalties, and special assessments, not from the pockets of American taxpayers.

Together with Senators BIDEN and SCHUMER, I wrote to President Bush on March 11, 2005, to urge him to reconsider and withdraw his proposal to rescind the Crime Victims Fund. We received no response to that letter.

On March 17, 2005, I offered and the Senate approved by voice vote a budget resolution amendment intended to head off the administration's plans to raid the Crime Victims Fund. I was joined by Senators KENNEDY, MIKULSKI, FEINGOLD, BIDEN, DURBIN, OBAMA and DODD, and I thank them again for their support. As amended, the budget resolution passed by the Senate rejects the proposed rescission by assuming that all amounts that have been and will be deposited into the Crime Victims Fund, including all amounts to be deposited in fiscal year 2006 and thereafter, will remain in the fund for use as authorized by the Victims of Crime Act.

In every State and every community across the country, the Crime Victims Fund plays an essential role in helping crime victims and their families meet critical expenses, recover from the horrific crimes they endured, and move forward with their lives. I ask unanimous consent to print in the RECORD a letter from a number of victims' organizations, representing the millions of Americans who become victims of crime every year. They wrote that rescinding the Crime Victims Fund at the end of fiscal year 2006 would create a "disastrous" situation for victim service providers and their clients.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL CRIME VICTIM  
ORGANIZATIONS CONTACT GROUPS,  
Washington, DC, March 12, 2005.

Hon. DANIEL K. AKAKA,  
Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR AKAKA: We, the undersigned members of the National Crime Victim Organizations Contact Group, represent the millions of citizens that become victims of crime every year in our nation and the agencies that provide supportive services to them. The Crime Victims Fund provides cru-

cial support to thousands of nonprofit organizations and public agencies who help millions of crime victims. We have joined together to urge all members of Congress to oppose the Administration's proposal to remove \$1.2 billion from this essential and life-saving fund.

The Fund was created under the Victims of Crime Act in 1984 as a "separate account" meaning that the revenues in the Fund are intended to be used solely for financial support of victim services, primarily through State crime victim compensation and State victim assistance formula grants. The Fund comes from the collection of Federal criminal fines, forfeitures and assessments; it does not depend on general taxpayer appropriations. Since the Fund's inception, Congress directed that all amounts deposited into the Fund would remain available to support victim services "without fiscal year limitation."

Over 4,400 victim service agencies in every state and every district depend upon VOCA funding for essential victim services, such as emergency shelters, counseling, legal advocacy, and assistance participating in the criminal justice system. In FY 2003, 3.8 million crime victims received VOCA-funded assistance, including victims of domestic violence, sexual assault, child abuse, elder abuse, survivors of homicide victims and drunk driving crashes. Hundreds of thousands of victims were provided financial assistance through VOCA grants to State crime victim compensation programs.

Initially, the money collected every year was released to states the following year. When collections grew to nearly \$1 billion in FY 1999, Congress placed a cap on the amount that was distributed each year. Congress began limiting annual Fund obligations expressly "to ensure that a stable level of funding will remain available for these programs in future years" (Conference Report 106-479).

Capping annual Fund obligations created a Fund balance—a "rainy day" fund consisting of amounts that otherwise would have been used by States to support immediate victim assistance needs. The Fund balance was used to make up the difference between annual deposits and Congressional caps three times over the past six years.

Having recently recognized the 20th anniversary of this successful and effective program, we were shocked to learn that the Administration now proposes rescinding the entire Fund at the end of FY 2006, including the amounts that Congress promised and, in fact, needed to protect against Fund fluctuations and to ensure the Fund's stability as well as deposits made during FY 2006. More stable long-term sources of funding are already required to maintain a sufficient amount in the Fund. Rescinding the Fund will zero out the Fund going into FY 2007 and unquestionably create a disastrous situation for victim service providers and their clients. The entire crime victims' field stands united in its opposition to the proposed rescission.

We ask Congress to reject the Administration's recommendation to rescind the Fund and to work with us to guarantee the Fund's future viability and support for victim services.

Sincerely,

David Beatty, Contact Group Coordinator,  
Justice Solutions, NPO.

Jeanette Adkins, National Organization  
for Victim Assistance.

Marybeth Carter, National Alliance to End  
Sexual Violence.

Nancy Chandler, National Children's Alliance.

Steve Derene, National Association of  
VOCA Assistance Administrators.

Dan Eddy, National Association of Crime  
Victim Compensation Boards.

Wendy Hamilton, Mothers Against Drunk  
Driving.

Mary Lou Leary, National Center for Vic-  
tims of Crime.

Dan Levey, National Organization for Par-  
ents of Murdered Children.

Jill Morris, National Coalition Against Do-  
mestic Violence.

Diane Moyer, Pennsylvania Coalition  
Against Rape.

Lynn Rosenthal, National Network to End  
Domestic Violence.

Mr. LEAHY. Mr. President, National  
Crime Victims' Rights Week is upon  
us. I urge my colleagues to honor our  
longstanding commitment to crime  
victims by working together to pre-  
serve the Crime Victims Fund.

## FREEDOM PARK

Mr. ALLARD. Mr. President, I bring  
to the Senate's attention the impor-  
tance of Freedom Park in Edwards, CO,  
to commemorate the sacrifices of our  
Armed Forces and emergency services  
personnel.

Similar to many other memorials, an  
American flag stands waving at its center,  
reflecting in the clear blue waters  
of a mountain lake. Yet this monu-  
ment differs from most in that it recog-  
nizes not only our Armed Forces but  
our emergency services. The liberties  
that we as citizens hold dear today  
have been protected both abroad and  
domestically, and this monument is a  
faithful reminder of all Americans who  
have dedicated their lives to serving  
freedom.

The concept of Freedom Park began  
with local veterans in Edwards, CO, but  
soon grew into a valley-wide, grass-  
roots effort. Citizens from all walks of  
life have come together to accomplish  
this noble goal, including military veter-  
ans and their families, emergency  
service members, business profes-  
sionals, local government officials, and  
countless others. The fruit of their  
labor will be recognized for generations  
to come in the name of commemo-  
rating American liberty.

From the Revolutionary War to the  
global war on terrorism, Freedom Park  
uniquely honors those who have given  
their lives in the line of duty through-  
out America's history. Clearly dis-  
played at every entrance to the park,  
these words are posted: "The greatest  
tribute we can give them is to become  
wiser through their legacy." This  
quote demonstrates the founders' goal,  
which is two-fold: to memorialize those  
who have served in the name of free-  
dom and to teach future generations  
the meaning of the sacrifices that were  
made.

Freedom Park memorial appropri-  
ately holds the dedication of our  
men and women in the Armed Forces  
and emergency services in great es-  
teem so that we may honor their dedi-  
cation to our Nation and learn from  
their sacrifices.